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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/606,824	06/26/2003	Gokay Albayrak	TRW(ASG)5899-1	5455

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EXAMINER

LUONG, VINH

ART UNIT PAPER NUMBER

3682

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/606,824

Applicant(s)

ALBAYRAK ET AL.

Examiner

Vinh T Luong

Art Unit

3682

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 June 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 and 8-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 8-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 June 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☒ Certified copies of the priority documents have been received in Application No. 09/924,212.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Vinh T. Luong
Primary Examiner

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/26/03.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

1. The Preliminary Amendment filed on June 26, 2003 has been entered.
2. This application appears to be a division of Application No. 09/924,212, filed August 8, 2001. A later application for a distinct or independent invention, carved out of a pending application and disclosing and claiming only subject matter disclosed in an earlier or parent application is known as a divisional application or "division." The divisional application should set forth only that portion of the earlier disclosure which is germane to the invention as claimed in the divisional application.
3. The disclosure is objected to because of the following informalities: Applicants' statement "[t]his application is a divisional of copending application number 09/924,212 (Appl.'212) filed on 8-8-01 . . ." inserted before the first line of the specification is inaccurate because this application does not disclose a distinct or independent invention, carved out of the pending Appl.'212 as seen in the definition above. On the one hand, there was no restriction requirement in Appl.'212. On the other hand, the disclosure of this application is identical or substantially identical to the one of Appl.'212. Applicants are respectfully urged to change the above statement to "[t]his application is a continuation of copending application number 09/924,212 (Appl.'212) filed on 8-8-01 . . ." Appropriate correction is required.
4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1-4 and 8-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Emeneth et al. (US Patent Pub. No.: US 2002/0029650 A1).

Regarding claim 1, Emeneth teaches a steering wheel comprising a hub, a steering wheel rim at E in Figs. 2 and 7 and at least one spoke 2 connecting said hub and said steering wheel rim, at least one of said steering wheel rim and said spoke 2 having a skeleton 3 and a sheathing 4 surrounding said skeleton 3, said steering wheel further comprising at least one decorative element 7-10 (Figs. 1-6), 26-29 (Figs. 7 and 8) and at least one clamp element 11 (Figs. 1-6), 23 (Figs. 7 and 8) at which said decorative element 7-10, 26-29 is latched, said clamp element 11, 23 at least partly encompassing said sheathing 4. See Emeneth's claims 1- 13.

Regarding claim 2, said sheathing 4 has at least one recess 14 for accommodating said clamp element 23. *Ibid.*, claim 1.

Regarding claim 3, said clamp element 23 has a first latching element 15, 16 and said decorative element 26-29 has a second latching element 26, 27 integrally formed with said decorative element 6-29, said first and second latching elements establishing a latching connection between said clamp element 23 and said decorative element 26-29. Note that the term "integral" is not restricted to a one-piece article. The term "integral" is sufficiently broad to embrace constructions united by such means as fastening and welding. See *In re Hotte*, 177 USPQ 326 (CCPA); *In re Clark*, 102 USPQ 241 (CCPA); *In re Dike*, 157 USPQ 581 (CCPA); *In re Kohno*, 157 USPQ 275 (CCPA); and *In re Morris*, 43 USPQ2d 1753, 1757 (CAFC 1997).

Regarding claim 4, said clamp element 11 (Figs. 1-6) has portions 11 which are directly supported by said skeleton 3 (Fig. 4).

Regarding claim 8, said clamp element 11, 23 is clipped to said sheathing 4.

Regarding claim 9, said clamp element 23 does not protrude into said sheathing 4 as seen in Fig. 8.

Regarding claim 10, said sheathing 4 is one of a foam casing and an injection-molded casing. *Ibid.*, paragraph 0025.

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

7. Claims 1 and 10 are rejected under 35 U.S.C. 102(a) as being anticipated by DE 299 10 997 U1 (hereinafter "DE'997") cited by applicant in the parent application.

Regarding claim 1, DE'997 teaches a steering wheel comprising a hub 5, a steering wheel rim and at least one spoke 7 connecting said hub and said steering wheel rim, at least one of said steering wheel rim and said spoke having a skeleton 3, 103, 203 and a sheathing 31, 131, 231 surrounding said skeleton 3, 103, 203, said steering wheel further comprising at least one decorative element 25, 125, 225 and at least one clamp element 9, 109, 209, 29, 129, 229 at which said decorative element 25, 125, 225 is latched, said clamp element 9, 109, 209, 29, 129, 229 at least partly encompassing said sheathing 31, 131, 231.

Regarding claim 10, said sheathing 31, 131, 231 is one of a foam casing and an injection molded casing.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Kreuzer et al.'289 (clamp element 42), Schuler'030 (sheathing 19), and Kreuzer et al. (claims 1-4).

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Vinh T. Luong whose telephone number is 703-308-3221. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci can be reached on 703-308-3668. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Luong

July 20, 2004



Vinh T. Luong
Primary Examiner